

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 Po Box 5004
Hayward, CA 94540
3 (510) 266- 5580

4 Trustee for Debtor(s)

5
6 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

7 In Re
8 Cynthia Marie Howard

Chapter 13 Case Number:
17-41281-WJL13

9
10 Debtor(s)

**MOTION TO DISMISS OR CONVERT CHAPTER 13 CASE FOR FAILURE TO MAKE
PLAN PAYMENTS**

11 **TO THE DEBTOR(S) AND DEBTOR(S)' ATTORNEY:**

12 Martha G Bronitsky, Chapter 13 Standing Trustee, requests an Order Dismissing or Converting this case
13 pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the debtor(s) is in material default for the
14 following reasons:

15 **1. YOU ARE IN DEFAULT UNDER YOUR CHAPTER 13 PLAN.**

16 As of August 30, 2018 you should have paid a total of \$42,511.00 to the Chapter 13 Trustee.
17 According to the Trustee's records, you are in default in the amount of \$2,615.00. The default amount
18 includes the current's month payment. The default amount does not include any payments which have been
19 suspended. Suspended payments may not bind creditors. Payments must be current until this motion is
20 resolved.

21 **2. In order to continue to receive protection of the United States Bankruptcy Court:**

22 a. **YOU MUST** bring the case current by paying in certified funds to the Trustee in the amount of
23 \$2,615.00 within 21 days of the date of this notice; OR

24 b. **YOU MUST** meet and confer with the Trustee by contacting the Client Services Department AND
25 sign a Stipulation (agreement) describing how you will cure default in a manner which is acceptable to the
26 Trustee. Such meeting shall be held at the office of the Trustee, at the address listed above, and shall be by
27

1 appointment only; OR

2 c. **YOU MUST** contact your attorney immediately. Your attorney may apply to modify the plan or
3 advise you of any other legal options. This must be done within 21 days of this notice.

4 3. Unless you pay the default amount, stipulate to cure the default or file an Application to Modify plan, as
5 provided in paragraph 2 above, twenty-one (21) days from the date of this notice, **YOUR CASE SHALL**
6 **BE IMMEDIATELY DISMISSED OR CONVERTED WITHOUT ANY FURTHER NOTICE OR**
7 **HEARING.**

8 Dated: August 30, 2018

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re
2 Cynthia Marie Howard
3 debtor(s)

Chapter 13 Case No.
17-41281-WJL13

CERTIFICATE OF SERVICE

4 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
5 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and
6 the registered agent for the creditor by depositing it in the United States mail with first class
7 postage attached thereto.

8
9 Cynthia Marie Howard
10 26937 Hayward Blvd #223
11 Hayward,CA 94542
12 (Debtor(s))

Nathan D Borris Atty
1380 A Street
Hayward,CA 94541
(Counsel for Debtor)

14 I delcare under penalty of perjury under the law of the State of California that the foregoing is
15 true and correct.

16
17 Date: August 30, 2018

/s/ OLGA GONZALEZ

OLGA GONZALEZ